Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 1 of 40

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, 9 a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 22 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings. I identify that attorney below, along with his or her mailing address, 26 27 telephone number, and facsimile number: 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 2 of 40

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9.		(Signature)
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11		ETHEL C IRIBE
12		(Printed or typed Name)
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14		ECT KAMILY TRUST
15		(Entity, if any, on whose behalf you are appearing)
16		Po. Box 415
17		WELLINGTON, NV 89444
18	·	(Address)
19		(775) 465-9619 (Telephone number)
20		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 4 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: \frac{1}{2007} \frac{1}{2007}

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been aught in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service e Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3 73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 5 of 40

-			•
2			TES DISTRICT COURT RICT OF NEVADA
3	UNITED ST	ATES OF AMERICA,)
. 4		Plaintiff,	
5	WALKER R	IVER PAIUTE TRIBE,	IN EQUITY NO. C-125
. 6		Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	vs.	-	
8 9	WALKER R a corporation	UVER IRRIGATION DISTRICT, et al.,)
10		NOTICE OF APPEARANCE AN	ND INTENT TO PARTICIPATE
11 12	1.	I hereby enter my appearance in t	this sub-proceeding in this case.
12	2.	I am filing this document with the	he District Court at the following address:
14		Chief Deputy Clerk United States District Court for the District of Nevada	the
15		400 South Virginia Street, Suite 3 Reno, Nevada 89501	301
16	3.	In the envelope provided for return	urn of my Waiver of Service of Notice in Lieu of
17	Summons, I	am mailing a copy of this document	nt to:
18 19		Susan L. Schneider Attorney for the United States of	f America
20		United States Department of Justi Environment & Natural Resource	itice .
21		P.O. Box 756 Littleton, Colorado 80160	
22	4,	I (or the entity on whose behalf I	am acting) will retain all defenses or objections
23	to the lawsuit	or to the jurisdiction or venue of the	the court except for objections based on a defect
24	in the Notice	in Lieu of Summons or in the service	rice of the Notice in Lieu of Summons.
25	5.	If I (or the entity on whose behalf I a	am acting) have retained an attorney to represent
26	me in these p	roceedings, I identify that attorney	y below, along with his or her mailing address,
27	telephone riur	mber, and facsimile number:	
28		•	

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 6 of 40 Attorney: Address: Phone Number: Fax Number: (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) (Address) (Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 8 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections.	ections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based on a defect in	the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Symmons.	\sim

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 9 of 40

1		
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA	
3	UNITED STATES OF AMERICA,)	
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C	-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125	5-B
7	vs.)	
8 ⁻ 9	WALKER RIVER IRRIGATION DISTRICT,	
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE	
11	1. I hereby enter my appearance in this sub-proceeding in this case.	
12		dress:
13	Chief Deputy Clerk	
14	District of Nevada	
15	Reno, Nevada 89501	
16	3. In the envelope provided for return of my Waiver of Service of Noti	ce in Lieu of
17	Summons, I am mailing a copy of this document to:	
18 19	Susan L. Schneider	
20	United States Department of Justice	٠
21	P.O. Box 756 Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acting) will retain all defenses of	or objections
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based	l on a defect
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summon	ns.
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27	telephone number, and facsimile number:	

Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 10 of 40

1	Attorney:	
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3	Address:	
4		
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6	Phone Number:	
7	Fax Number:	J. 710.
8		Larde Flore
9		(Signature)
10		CAROLE ELDER
11		·
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing)
17		
18		(Address)
19	· .	(Telephone number)
20		
21		

Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 12 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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tice ii. Bica of Summons.	
Signature Signature B. Epstein Printed/Typed Name If you are acting on behalf of any entity, identify	•
acting as:	of
(Title)	
(Corporate, Trust, Partnership or other entity)	-
	Signature Signature B. Epstein Printed/Typed Name If you are acting on behalf of any entity, identify acting as: (Title)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 14 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: 1-4-07

Signature

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

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Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 16 of 40

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Date: 9-26-06	Signature Les T EVASOVIC
	Printed/Typed Name
	If you are acting on behalf of any entity, identify that you are
	acting as:of
	(Title)
	(Corporate, Trust, Partnership or other entity)

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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 8 WALKER RIVER IRRIGATION DISTRICT, 9 a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno. Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice 20 Environment & Natural Resources Division P.O. Box 756 Littleton, Colorado 80160 21 22 I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 5. 25 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 26 me in these proceedings, I identify that attorney below, along with his or her mailing address. telephone number, and facsimile number: 27 28

Case 3 73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 18 of 40

1.	Attorney:	
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11		Les T EVASOVIC
12		(Printed or typed Name)
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15		(Entity, if any, on whose behalf you are appearing)
16		behan you are appearing)
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19		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 20 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Date: 1/20/00

Signature

Michelle Evasovic

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Corporate, Trust, Partnership or other entity)

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Case \$:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 22 of 40

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Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 24 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 10-3-06

Signature

A. Terry Falkenstein

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service he Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 26 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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	Ida Faran	
Date: 9/25/06	Signature	
	IdA FAVOR	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

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Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 28 of 40

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or to the jurisdiction or venue of the Court except for objections	based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.	Ω

Date: 13 Sep 06

Signature HERBERT J FAWCETT

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

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Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 30 of 40

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Date: SEPTEMBER IS, 2006	Signature MICHAEL P.	FLORIO	
	Printed/Typed Name		
	If you are acting on behalf of acting as:	any entity, identity that	you are of
	(Title)		
	(Corporate, Trust, Partner	ship or other entity)	

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Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 32 of 40

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date 10/18/06

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

(Title)

(Corporate, Trust, Partnership or other entity)

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Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 33 of 40

Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 34 of 40

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Date: 10/18/06

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

(7014)

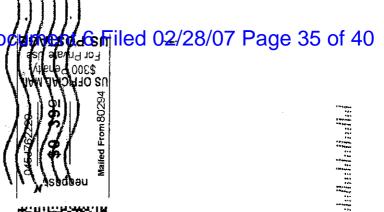
(Corporate, Trust, Partnership or other entity)

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Case 3:73-cv-00127-MMD-CSD Dog





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Susan L. Schneider, Attorney

U.S. Department of Justice P.O. Box 756

Littleton, CO 80160-0756

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Susan L. Schneider, Attorney U.S. Department of Justice P. O. Box 756 Littleron, CO 804000750

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Fowler, Marlen , Walter

Jerr. 10-17-06

Case 3:73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 37 of 40

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Date: 7-10-06

Signature

CHAPLES REAME

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor, SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT 9 a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons. I am mailing a copy of this document to: 13 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 25 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 27 telephone number, and facsimile number: 28

Case 3 73-cv-00127-MMD-CSD Document 6 Filed 02/28/07 Page 39 of 40

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	
8		Golf Trans
9:		(Signature)
10		
11		CHAPLES P-FRAME
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing)
17		
18		(Address)
19		(Telephone number)
20		
H		